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7 **IN THE UNITED STATES DISTRICT COURT**  
8 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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10 JULIUS JONES,

No. CIV S-04-0950-LKK-CMK-P

11 Petitioner,

12 vs.

ORDER

13 DAVID RUNNELS, et al.,

14 Respondents.  
15 \_\_\_\_\_/

16 Petitioner, a state prisoner proceeding with counsel, brings this petition for a writ  
17 of habeas corpus pursuant to 28 U.S.C. § 2254. Petitioner brought a motion for stay of habeas  
18 proceedings pending exhaustion in state court of unexhausted claims on March 13, 2007. By  
19 findings and recommendations, the undersigned recommended the motion be denied. By order  
20 filed March 14, 2008, the findings and recommendations have been adopted in full.

21 This action is currently proceeding on petitioner's original petition filed May 14,  
22 2004. Petitioner attached a copy of his proposed amended petition to his motion to stay, which  
23 included unexhausted claims. Now that his motion to stay these proceedings has been denied,  
24 petitioner is to inform the court whether he intends to stand on the existing petition or whether he  
25 plans on filing an amended petition with only exhausted claims. Given the length of time this  
26 case has been pending due to numerous extensions of time being requested and granted, the court

1 is not inclined to provide petitioner an exorbitant amount of time to continue to prosecute this  
2 case.

3 Therefore, petitioner is to file a statement informing the court how he intends to  
4 proceed within 20 days of the date of this order. If petitioner's intention is to file an amended  
5 petition, he will have a limited amount of time in which to do so. If petitioner's intention is to  
6 stand on his original petition, the respondent will be directed to file a response.

7 IT IS SO ORDERED.

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9 DATED: March 26, 2008

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11 **CRAIG M. KELLISON**  
12 UNITED STATES MAGISTRATE JUDGE  
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